

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 204 – HB 1318

February 25, 2015

SUMMARY OF ORIGINAL BILL: Declares that it is not an offense under the Tennessee Nongame and Endangered or Threatened Wildlife Species Conservation Act to disturb the habitat of, alter, take, attempt to take, possess, transport, export, process, sell or offer for sale, or ship a black vulture in this state, also known as the *Coragyps atratus*. Prohibits the use of state funds, personnel, or other state resources to be used for enforcing any prohibition against the specified types of disturbances to the black vulture.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (003590): Deletes and rewrites the bill with the following substantive changes: (1) removal of language for which a person does not commit an offense for disturbing black vultures, (2) removal of language for which no state funds, personnel, or other state resources may be utilized related to the enforcement of any prohibition against the disturbance of black vultures, and (3) additional language stating that nothing in this bill shall prohibit a state agency from using state funds, personnel, or other resources for the purpose of assisting landowners in acquiring federal depredation permits for black vultures.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Other Fiscal Impact - To the extent a state agency elects to use state funds, personnel, or other state resources, for the purpose of assisting landowners in acquiring federal depredation permits for black vultures, there will be an increase in state expenditures of an unknown amount. If no state agency provides any such assistance, the fiscal impact for this bill as amended remains not significant.

Assumptions for the bill as amended:

- Black vultures are protected under federal law and TWRA personnel are federally commissioned.
- TWRA does not receive any federal funding for the purpose of protecting the black vulture species.
- Based on the information provided by the Tennessee Wildlife Resources Agency, agency personnel would be prohibited from participating in any federal enforcement or investigation; federal offenses would prevail and be enforced by federal agents.

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- Few resources, if any, of the TWRA have been dedicated towards the enforcement of federal law that protects the black vulture species.
- According to TWRA, the agency has not issued any citations over the last ten years for any type of disturbance to black vultures. As a result, any fiscal impact to state government is estimated to be not significant.
- Based on information provided by the County Technical Assistance Service, few local government resources, if any, have been dedicated towards the enforcement of federal law that protects the black vulture species.
- There could be additional state expenditures if a state agency elects to utilize state funds, personnel, or other state resources to assist landowners in acquiring federal depredation permits for black vultures. Any such impact is unknown and dependent upon the election decision made by the state entity and the extent of such state funds, personnel, and other state resources that the agency will elect to utilize.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Jeffrey L. Spalding, Executive Director

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